

In the Supreme Court of the State of Alaska

R.G. (Father),

Petitioner,

v.

State of Alaska, DHSS, OCS; P.G. (Mother); A.G. (Child); E.G (Child); S.G. (Child); and Y.G. (Child); and Office of Public Advocacy, Guardian ad Litem,

Respondents.

Supreme Court No. **S-18046**

Order

Motion for Reconsideration of May 11, 2021 Order of Single Justice

Date of Order: **6/8/2021**

Trial Court Case Nos. **3PA-20-00151CN;3PA-20-00152CN;3PA-20-00153CN;3PA-20-00154CN**

Before: Bolger, Chief Justice, Winfree, Maassen, Carney, and Borghesan, Justices

The Office of Children’s Services (OCS) filed a motion for full-court reconsideration of the May 11, 2021 individual justice order issued in this petition for review proceeding. OCS states that it filed the reconsideration motion “for the sole purpose” of having this court “remove the Public Defender Agency as a ‘Respondent’ to this petition, as is required by Appellate Rules 517.1 and 518.” The reconsideration motion is **GRANTED IN PART**, as follows.

This court first notes that an individual justice order was issued June 3, 2021 correcting the caption for this petition for review matter to exclude the reference to the Public Defender Agency as a respondent. The May 11 individual justice order was not intended to suggest that the Agency is a party/respondent in this matter, but rather was intended to stay this matter pending a final decision in R.G. (Father)’s latest representation hearing in the superior court. For clarity, **IT IS ORDERED** that the Public Defender Agency is not a party/respondent in this matter. But this does not preclude

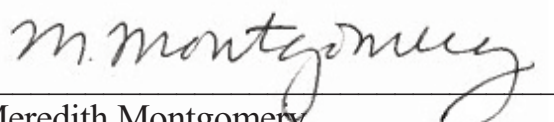
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R.G.'s currently appointed Agency counsel from making appropriate filings in this matter, as OCS appears to concede at pages 4-5 of its reconsideration motion.

If the superior court decides there is no basis for Agency counsel to withdraw in the underlying proceeding, then, as contemplated by the May 6 order, R.G. may supplement his petition for review to include a request for review of that decision (to accompany his pending request for review of the earlier decision not to appoint separate counsel to represent him in the representation hearing). **IT IS ORDERED** that R.G.'s currently appointed Agency counsel and OCS each shall notify this court of the superior court's decision about the latest representation hearing, providing a copy of the order or a transcript of an oral decision. **IT IS ORDERED** that within 7 days thereafter OCS, R.G., and R.G.'s currently appointed Agency counsel each shall file a memorandum, not to exceed 10 pages, stating their positions about R.G.'s representation in this matter. R.G.'s pending (but stayed) motion for appointment of counsel may, if R.G. wishes, substitute for his memorandum. Each memorandum shall include, but not be limited to, whether R.G.'s currently appointed Agency counsel will represent R.G, and, if not, whether R.G. is entitled to court-appointed counsel to represent him in this matter or he must proceed self-represented.

Entered at the direction of the court.

Clerk of the Appellate Courts


Meredith Montgomery

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cc: Judge Kristiansen
Trial Court Clerk - Palmer

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R.G. (Father)

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